

AF/1600/4

DOCKET NO.: WARF-0135

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of:

Marcin S. Filutowicz

Serial No.: 09/651,290

Filing Date: August 30, 2000

For: ANTI-MICROBIAL BIOTHERAPEUTIC AGENTS: ALTERNATIVES TO CONVENTIONAL PHARMACEUTICAL ANTIBIOTICS

Confirmation No.: 2591

Group Art Unit: 1645

Examiner: Vanessa L. Ford

DATE OF DEPOSIT: January 9, 2003

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.

TYPED NAME: Janet E. Reed
REGISTRATION NO.: 36,252

BOX AF
Assistant Commissioner for Patents
Washington DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed July 12, 2002 finally rejecting claims 1-12, 24, 16-17 and 29 of the above-identified patent application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

- Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
 - an Independent Inventor

01/17/2003 HAHFED1 00000012 09651290

01 FC:2401 160.00 DP
02 FC:2253 465.00 DP

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- a Small Business Concern
- a Nonprofit Organization

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 § CFR 1.17(a)(1)-(4)) for the total number of months checked below:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$205	\$	\$410	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$465	\$465.00	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$725	\$	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$985	\$	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$)
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$160	\$160.00	\$320	\$
TOTAL FEE DUE		\$625.00		\$0

3. FEE PAYMENT

- A check in the amount of **\$625.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- Please charge my Deposit Account No. 23-3050 in the amount of \$.00. This sheet is attached in duplicate.
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

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- 3 -

PATENT

Date: January 9, 2003


Janet E. Reed

Registration No. 36,252

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